

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LARRY E. HARRISON,

Plaintiff,

v.

Case No. 07-CV-11412-DT

SHERRY BURT, et. al.,

Defendants.

**ORDER CONSTRUING PLAINTIFF'S RESPONSE AS A MOTION
FOR AN EXTENSION OF TIME AND GRANTING PLAINTIFF'S MOTION**

Plaintiff Larry Harrison is an inmate currently confined at the Southern Michigan Correctional Facility in Jackson, Michigan. On April 16, 2007, Magistrate Judge R. Steven Whalen signed an order directing Plaintiff to provide sixteen (16) additional copies of his civil rights complaint for service upon the Defendants. Plaintiff was given thirty days to comply with the order.

On April 26, 2007, Plaintiff filed a document entitled "Regarding Order Directing Plaintiff to Provide Additional Copies," which has been docketed as a response. The court construes Plaintiff's response as a motion for an extension of time to comply with Magistrate Judge Whalen's April 16, 2007 order. In his response, Plaintiff claims that he did not receive the order directing him to provide the additional copies until April 24, 2007, because the order was sent to Plaintiff at the wrong prison.

A district court may, in its discretion, grant an additional thirty days from the date of the filing of the extension order to allow a prisoner to correct a deficiency with his pleadings. See *McGore v. Wigglesworth*, 114 F. 3d 601, 605 (6th Cir. 1997). The court

finds that an extension is warranted here because Plaintiff's notification was delayed by no fault of his own. Accordingly,

IT IS ORDERED that Plaintiff's April 30, 2007 "response," entitled "Regarding Order Directing Plaintiff to Provide Additional Copies," [Dkt. # 4] is CONSTRUED as a motion for an extension of time and is GRANTED. Plaintiff is DIRECTED to correct the deficiency in his pleadings by submitting the sixteen (16) additional copies of his civil rights complaint for service upon the Defendants by **Monday, June 18, 2007**. Failure to file the documentation by this date will result in dismissal of the action.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 18, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 18, 2007, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522